

<b>DECLARATION AND POWER OF ATTORNEY FOR PLANT PATENT APPLICATION (37 CFR 1.63)</b>		Attorney Docket No.	1464-002
		First Named Inventor	Dale E. HERMAN
		COMPLETE IF KNOWN	
		Application Number	10/
		Filing Date	
		Group Art Unit	
		Examiner Name	

Declaration Submitted with Initial Filing       Declaration Submitted after Initial Filing

As a below named inventor, I hereby declare that:

My residence, mailing address, and citizenship are as stated below next to name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the new and distinct variety of: BIRCH TREE NAMED 'VERDALE', the specification of which is attached.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claim, as amended by any amendment specifically referred to above.

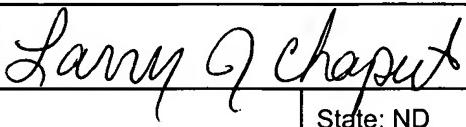
Averment under 37 CFR 1.162: I have asexually reproduced the new and distinct variety. This new variety was developed in a cultivated area.

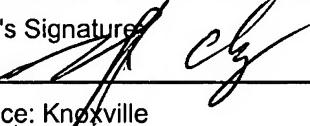
I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part.

I or we hereby appoint the registered practitioner(s) associated with Customer No. 32905 to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith. Direct all correspondence to Customer Number 32905.

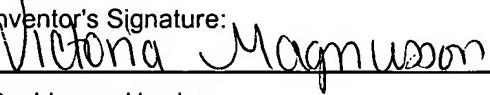
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SOLE OR FIRST INVENTOR:		[ ] A petition has been filed for this unsigned inventor	
Given Name: (first and middle [if any]) Dale E.		Family Name or Surname: HERMAN	
Inventor's Signature: <i>Dale E. Herman</i>		Date: 1-21-04	
Residence: Fargo	State: ND	Country: US	Citizenship: US
Mailing Address: 109 Woodland Drive			
Mailing Address:			
City: Fargo	State: ND	Zip: 58102	Country: US

NAME OF SECOND INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name: (first and middle [if any]) Larry J.		Family Name or Surname: CHAPUT	
Inventor's Signature: 		Date: 1-21-04	
Residence: Fargo	State: ND	Country: US	Citizenship: US
Mailing Address: 2708 Northwood Drive			
Mailing Address:			
City: Fargo	State: ND	Zip: 58102	Country: US

NAME OF THIRD INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name: (first and middle [if any]) Zong-Ming		Family Name or Surname: CHENG	
Inventor's Signature: 		Date: 1/27/2004	
Residence: Knoxville	State: TN	Country: US	Citizenship: US
Mailing Address: 309 Heathermoor Drive			
Mailing Address:			
City: Knoxville	State: TN	Zip: 37922	Country: US

NAME OF FOURTH INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name: (first and middle [if any]) Wenhao		Family Name or Surname: DAI	
Inventor's Signature: 		Date: 1-21-04	
Residence: Fargo	State: ND	Country: US	Citizenship: CN
Mailing Address: 169 D University Village			
Mailing Address:			
City: Fargo	State: ND	Zip: 58102	Country: US

NAME OF FIFTH INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name: (first and middle [if any]) Victoria A.		Family Name or Surname: MAGNUSSON	
Inventor's Signature: 		Date: 1-21-04	
Residence: Hawley	State: MN	Country: US	Citizenship: US
Mailing Address: 27820 86 <sup>th</sup> Avenue South			
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City: Hawley	State: MN	Zip: 56549	Country: US